



RICHARD A. BROWN
DISTRICT ATTORNEY

November 21, 2005

Hon. Frederick H. Block
United States District Judge
United State District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York

Re: Almein Cain v. Victor T. Herbert, No. 02-CV-3956(FB)

Your Honor:

This letter is written in response to Your Honor's October 21, 2005 order directing respondent, upon remand from the Second Circuit, to submit, within 30 days of receipt of the order, an answer on the merits to defendant's habeas corpus petition. I respectfully request, pursuant to Federal Rule of Civil Procedure 6(b), an extension of 30 days to submit a full answer. This matter involves a quadruple homicide and, because only the timeliness issue has yet been fully briefed, I will need the additional time to submit a detailed response. In addition, my time to respond has been cut short because at the time I received the order to show cause, I was operating under a deadline of November 10, 2005 for filing a brief in the New York Court of Appeals. As a result, I am requesting 30 days, until December 21, 2005, for the filing of respondent's papers. Any consideration given by the court to respondent in this matter would be greatly appreciated.

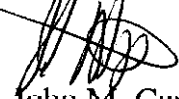
Application For An
Extension until 12/21/05
IS GRANTED

SO ORDERED

11/22/05

Thank-you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to be 'John M. Castellano', written over a horizontal line.

John M. Castellano
(718) 286-5801

To: Almein Cain, pro se
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